

S U S A N

C O M B S

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

P.O. Box 13528 • AUSTIN, TX 78711-3528



June 19, 2013

Attn: Building Energy Codes Program
Office of Energy Efficiency and Renewable Energy, EE-2J
U.S. Department of Energy
1000 Independence Avenue S.W.
Washington, DC 20585-0121

Re: State Certification of the ASHRAE 90.1 2007

Dear Mr. Risser:

In accordance with the provisions of Section 304(C) of the Energy Conservation and Production Act (ECPA), as amended (42 U.S.C. 6833(b)(2)(B)(i)), each state must file certification statements to DOE by July 20, 2013 that it has reviewed the provisions of its building codes regarding energy efficiency and made a determination as to whether to update its code to meet or exceed ASHRAE 90.1 2007.

The State of Texas, in compliance with the ECPA, has reviewed the provisions of ASHRAE 90.1-2007 for energy efficiency in commercial buildings. The Texas State Energy Conservation Office (SECO) has the authority to adopt new codes in Texas, but is limited by statute (Texas Health and Safety Code §388.003) to adopting only the most recent edition of the International Energy Conservation Code (IECC) without amendment for commercial buildings. SECO adopted the 2009 IECC effective April 1, 2011 for all commercial and residential buildings greater than three stories above grade.

A study done by the Energy System's Laboratory of Texas A&M University demonstrates that the 2009 IECC code results in equivalent overall energy savings performance when compared to the ASHRAE 90.1-2007 for large office buildings in Texas (<http://www-esl.tamu.edu/docs/terp/2011/esl-ic-11-10-02.pdf>). This is currently the only study that compares the stringency of these two codes in Texas climate zones.

SECO also has authority (4 Tex. Gov. Code §447.002) to adopt rules relating to the development and implementation of energy and water conservation measures and programs applicable to state buildings and facilities. For state-funded buildings SECO adopted ASHRAE Standard 90.1-2010.

Should you have any questions on this matter, please contact me at 512-463-8352.

Sincerely,


Dub Taylor, Director
Texas State Energy Conservation Office